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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/078,710	02/21/2002	Motohisa Nishina	0033-0789P	6233

2292 7590 04/06/2004

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EXAMINER

LEE, BENNY T

ART UNIT	PAPER NUMBER
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2817

DATE MAILED: 04/06/2004

Please find below and/or attached an Office communication concerning this application or proceeding.



UNITED STATES DEPARTMENT OF COMMERCE
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10/ 078710
FILING DATE

☐ This application has been examined ☒ Responsive to communication filed on 16 Dec 2007 ☐ This action is made final.

A shortened statutory period for response to this action is set to expire Three (3) month(s), _____ days from the date of this letter.
Failure to respond within the period for response will cause the application to become abandoned. 35 U.S.C. 133

Part I THE FOLLOWING ATTACHMENT(S) ARE PART OF THIS ACTION:

- | | |
|---|---|
| 1. <input type="checkbox"/> Notice of References Cited by Examiner, PTO-892. | 2. <input type="checkbox"/> Notice re Patent Drawing, PTO-948. |
| 3. <input type="checkbox"/> Notice of Art Cited by Applicant, PTO-1449. | 4. <input type="checkbox"/> Notice of Informal Patent Application, Form PTO-152 |
| 5. <input type="checkbox"/> Information on How to Effect Drawing Changes, PTO-1474. | 6. <input type="checkbox"/> _____ |

Part II SUMMARY OF ACTION

1. ☒ Claims 1-9 are pending in the application.
Of the above, claims _____ are withdrawn from consideration.
2. ☐ Claims _____ have been cancelled.
3. ☐ Claims _____ are allowed.
4. ☒ Claims 1-8 are rejected.
5. ☒ Claim 9 is objected to.
6. ☐ Claims _____ are subject to restriction or election requirement.
7. ☐ This application has been filed with informal drawings under 37 C.F.R. 1.85 which are acceptable for examination purposes.
8. ☐ Formal drawings are required in response to this Office action.
9. ☐ The corrected or substitute drawings have been received on _____ Under 37 C.F.R. 1.84 these drawings are ☐ acceptable; ☐ not acceptable (see explanation or Notice re Patent Drawing, PTO-948).
10. ☐ The proposed additional or substitute sheet(s) of drawings, filed on _____ has (have) been ☐ approved by the examiner; ☐ disapproved by the examiner (see explanation).
11. ☐ The proposed drawing correction, filed _____, has been ☐ approved; ☐ disapproved (see explanation).
12. ☐ Acknowledgement is made of the claim for priority under U.S.C. 119. The certified copy has ☐ been received ☐ not been received ☐ been filed in parent application, serial no. _____; filed on _____.
13. ☐ Since this application appears to be in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11; 453 O.G. 213.
14. ☐ Other _____

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A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 16 October 2003 has been entered.

The disclosure is objected to because of the following informalities: In the replacement paragraph to page 1, lines 12-15, last line therein, note that "indoors" should be rephrased as --indoor BS tuner-- for clarity of description. In the replacement paragraph to page 6, lines 29-30, last line therein, note that --of the chassis-- should follow "outside" for clarity of description. Note that with respect to the description of "figure 4", it is again requested that the reference label "BRANCH" be described. Contrary to applicants' assertion, replacement drawings to "figure 4" have not been provided. Note that with respect to "figure 13", it is again requested that reference label "246" be described. As admitted by applicants', reference label "246" has been described with respect to "figure 10", but has not been described with respect to "figure 13" in which it is explicitly labeled. Clarification is needed. Appropriate correction is required.

The drawings are objected to because of the following: In fig. 4, reference labels (4, 8, 10, 12, 20, 22, 24) should be added to the sections labeled (LNA, BPF, MIX1, LO1, POWER SUPPLY, SELECT, IF AMP), respectively; In Fig. 5, reference labels (14, 16, 18) should be added to the sections labeled (BPF2, LO2, MIX2), respectively; In Fig. 8, reference labels (A, B) need to be labeled. A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

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It should be noted that with respect to the objection to figs. 4 & 5, the corresponding description at pages 6 & 7 of the specification specifically references the indicated reference numbers to the corresponding acronym and as such these reference numbers should be provided.

Claims 4-7 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claims 4, 6, note that the recitation of "a power supply ... to generate said power supply potential" appears to be a redundant recitation since the same limitation already appears in independent claim 1, from which these claims depend. Therefore, it appears that this redundant limitation should be deleted from these claims.

The following claim has been found objectionable for reasons set forth below:

In claim 2, penultimate line, note that --power supply circuit on said-- should be inserted prior to "first printed circuit board" for consistency of description.

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claims 1, 2 are rejected under 35 U.S.C. 103(a) as being unpatentable over applicants' admitted prior art (figs. 10-13) in view of Kanda et al (of record), for reasons of record.

Claims 3, 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over the preceding rejection as applied to claim 2 above, and further in view of Saitoh et al (of record), for reasons of record.

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Claims 4, 5 are rejected under 35 U.S.C. 103(a) as being unpatentable over the above rejection as applied to claim 2 above, and further in view of Nakamura ('064), of record for reasons of record.

Claims 6, 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over the above rejection as applied to claim 2 above, and further in view of Nakamura ('958), of record for reasons of record.

Applicant's arguments filed 16 October 2003 have been fully considered but they are not persuasive.

Applicants' have argued that the Kanda reference does not "appear to teach reduction of a spurious signal generated by simultaneous operation of two oscillator circuits".

While that may have been aspect of applicants' invention, it should be noted that such an argument is not commensurate with what has been actually claimed. It should be noted that independent claim 1 contains no reference to this function of reducing spurious signals, and such argument has not been given patentable weight in it's consideration.

Moreover, it has been further argued that Kanda does not teach "partitioning circuit boards to separate signals from two oscillator circuits and thus does not address reduction of spurious signals" and as such one of ordinary skill in the art would not have looked to Kanda to solve the problem addressed by the present invention.

In response, the examiner continues to point out that any function of spurious signal reduction has not been explicitly claimed. Moreover, it should be noted that the teaching relied on in Kanda is the generic concept of providing a housing which is partitioned such that the partition provides a shielding effect between the partitioned parts of the housing. Such a generic concept

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obviously would have been applicable to various analogous art components in the different partitioned compartments (e.g. amplifier/oscillator, first oscillator/second oscillator, etc) and as such one of ordinary skill in the art would have looked to Kanda to provide the teaching of the advantage of providing shielding between separate partitioned components, thereby suggesting the obviousness of the combination.

With respect to the remaining rejections, applicants' maintain the same lines of argument as applied with Kanda. Additionally, applicants' argue that the other prior art references do not remedy the deficiency of Kanda.

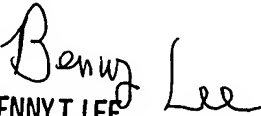
In response, the examiner acknowledges applicants' comments, but since applicants' did not specifically argue the merits of each rejection, the examiner will assume that the rejection of these claims will rise or fall with the rejection of the independent claim.

As a final comment, it appears that one of the critical aspects distinguishing the applicants' invention from that of the prior art is that to effect the shielding between the compartment and to provide spurious signal reduction, the partition must be of sufficient thickness as to function as a shield to prevent the spurious signal from coupling across the partition.

Claim 9 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Any inquiry concerning this communication should be directed to Benny Lee at telephone number 571 272 1764.

B. Lee


BENNY T. LEE
PRIMARY EXAMINER
ART UNIT 2817